REMARKS

Reconsideration of the application is respectfully requested for the following reasons:

1. Formalities

The specification and abstract have been revised to correct various minor grammatical and idiomatic errors. In addition, claims 1-3 have been combined and amended to place the claims in proper U.S. format and also correct grammatical and idiomatic errors.

Because the changes to the specification, abstract, and claims are all formal in nature, it is respectfully submitted that the changes do not involve new matter.

2. Rejection of Claim 1 Under 35 USC §102(b) in view of U.S. Patent Publication No. US 2002/0090931 (Papineau)

This rejection has been rendered moot by the incorporation, into claim 1, of the limitations of claims 2 and 3.

3. Rejection of Claim 2 Under 35 USC §103(a) in view of U.S. Patent Publication No. US 2002/0090931 (Papineau) and U.S. Patent No. 6,309,305 (Kraft)

This rejection has also been rendered moot by the incorporation, into claim 1, of the limitations of claims 2 and 3.

4. Rejection of Claim 2 Under 35 USC §103(a) in view of U.S. Patent Publication No. US 2002/0090931 (Papineau) and U.S. Patent Nos. 6,309,305 (Kraft) and 5,797,089 (Nguyen)

This rejection is respectfully traversed on the grounds that neither the Papineau publication nor the Kraft and Nguyen patents discloses or suggests a method of selectively activating PDA and mobile phone features of an electronic device in which a **menu** is displayed on ***power-up*** to enable the user to **selectively activate** either the PDA or the mobile phone option without activating the other option.

According to the invention, the mobile phone function must be positively **activated** through an **activation-selection menu** that appears when the device is **powered-on** in order activate the communications devices. In contrast:

- the device disclosed in the Papineau publication merely permits the mobile phone function to be **turned-off** if the user desires,
- the device disclosed in the Kraft patent does not include any sort of phone/PDA select option, and
- the device disclosed in the Nguyen patent uses separate power-on switches for the phone and PDA components of the device.

The Papineau publication includes a communications disabled operating mode for operating the electronic device as a PDA, as does the claimed invention. However, the communications disabled operating mode is not activated by a menu displayed upon power-up. **To the contrary, the communications disabled operating mode of Papineau can only be entered *after* the electronic device has been powered-up and the communications devices have been on for a while.** If the user forgets to disable the communications devices, or takes a long time to do so, disastrous consequences could occur due to interference with a plane's navigation system.

As explained in paragraph [0024] of the Papineau publication:

> *The user may enter the command to disable the communications module 202 by navigating through a menu to a prompt for the communications disabled operating mode and selecting that prompt. Alternatively, a dedicated button or switch 320 may be provided on the housing 302, which may issue the communications-disable command to the processor 106 when pressed.*

This passage confirms that Papineau leaves it up to the user to disable the phone function. In contrast, when the device of the claimed invention is powered-up, the user is presented with the option of either enabling the phone function or not. According to the invention, the user does not need to **navigate through menus or remember to activate a special button, as taught by Papineau,** in order to turn off his or her phone. Instead, the user will only turn on the phone

function when needed, based on the **claimed power-on activation-selection prompt**, enabling use of the device in communications-sensitive situations such as airplanes and hospitals without the possibility of unintentionally turning-on the transceiver.

These deficiencies are not remedied by the Kraft patent. The Kraft patent discloses a phone with convenient cut and paste functions but **no phone/PDA activation function**, or even a phone disabling function of the type taught by Papineau.

The deficiencies of Papineau's phone disabling system are also not remedied by Nguyen, which teaches an electronic device with completely separate phone and PDA functions. Instead of providing a menu on power-up that enables activation of the PDA and/or phone functions, the phone and PDA of Nguyen are **separately powered-on**. As explained in col. 3, lines 37-55, when the device is in a "closed" position, it is used as an ordinary mobile phone with no PDA functions and no disablement option. On the other hand, when the device of Nguyen is opened-up to reveal a PDA, it may be used as either a PDA or phone depending on which of two respective switches 25 or 26 is turned-on. Having to open-up the phone and activate a switch in order to use the PDA function, as taught by Nguyen, is not as convenience as the claimed power-up activation menu, and not suggestive of modifying the disabling function of Papineau to include such a menu.

Because the Papineau publication, and the Kraft and Nguyen patents, each fails to disclose or suggest the claimed **power-on PDA/phone activation-selection menu**, the Papineau patent instead teaching a phone disable option that can only be selected after the phone has been turned on, the Kraft patent failing to teach any sort of phone/PDA selection option, and the Nguyen patent teaching separate power-on switches for a phone and PDA, withdrawal of the rejection under 35 USC §103(a) in view of the Papineau publication and Kraft and Nguyen patents is respectfully requested.

Having thus overcome each of the rejections made in the Official Action, withdrawal of the rejections and expedited passage of the application to issue is requested.

Respectfully submitted,

BACON & THOMAS, PLLC

By: BENJAMIN E. URCIA
Registration No. 33,805

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BACON & THOMAS, PLLC
625 Slaters Lane, 4th Floor
Alexandria, Virginia 22314

Telephone: (703) 683-0500

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